

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 1:13-cv-03264-AP

JAPETH PAULEK,

Plaintiff,

v.

CAROLYN W. COLVIN,  
Acting Commissioner of Social Security,

Defendant.

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**JOINT CASE MANAGEMENT PLAN FOR SOCIAL SECURITY CASES**

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**1. APPEARANCES OF COUNSEL AND *PRO SE* PARTIES**

For Plaintiff:

Joseph A. Whitcomb, Esq  
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For Defendant:

John F. Walsh  
United States Attorney

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United States Attorney's Office  
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Social Security Administration, Region VIII  
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[Allan.berger@ssa.gov](mailto:Allan.berger@ssa.gov)

**2. STATEMENT OF LEGAL BASIS FOR SUBJECT MATTER JURISDICTION**

The Court has jurisdiction based on section 205(g) of the Social Security Act, 42 U.S.C. 405(g).

**3. DATES OF FILING OF RELEVANT PLEADINGS**

**A. Date Complaint Was Filed: December 3, 2013**

**B. Date Complaint Was Served on U.S. Attorney's Office: December 20, 2013**

**C. Date Answer and Administrative Record Were Filed: March 19, 2014**

**4. STATEMENT REGARDING THE ADEQUACY OF THE RECORD**

To the best of his knowledge, Plaintiff states that the record is complete and accurate.

To the best of his knowledge, Defendant states that the record is complete and accurate.

**5. STATEMENT REGARDING ADDITIONAL EVIDENCE**

The parties do not anticipate submitting additional evidence.

**6. STATEMENT REGARDING WHETHER THIS CASE RAISES UNUSUAL CLAIMS OR DEFENSES**

The parties state that this case does not raise unusual claims or defenses.

**7. OTHER MATTERS**

The parties state that there are no other matters.

**8. BRIEFING SCHEDULE**

**A. Plaintiff's Opening Brief Due: May 27, 2014**

**B. Defendant's Response Brief Due: June 27, 2014**

**C. Plaintiff's Reply Brief (If Any) Due: July 9, 2014**

9. STATEMENTS REGARDING ORAL ARGUMENT

- A. Plaintiff's Statement: Plaintiff does not request oral argument.
- B. Defendant's Statement: Defendant does not request oral argument.

10. CONSENT TO EXERCISE OF JURISDICTION BY MAGISTRATE JUDGE

- A. ( ) All parties have consented to the exercise of jurisdiction of a United States Magistrate Judge.
- B. ( X ) All parties have not consented to the exercise of jurisdiction of a United States Magistrate Judge.

11. AMENDMENTS TO JOINT CASE MANAGEMENT PLAN

THE PARTIES FILING MOTIONS FOR EXTENSION OF TIME OR CONTINUANCES MUST COMPLY WITH D.C.COLO.LCivR 7.1(C) BY SUBMITTING PROOF THAT A COPY OF THE MOTION HAS BEEN SERVED UPON THE MOVING ATTORNEY'S CLIENT, ALL ATTORNEYS OF RECORD, AND ALL PRO SE PARTIES.

***The parties agree that the Joint Case Management Plan may be altered or amended only upon a showing of good cause.***

DATED this 8th day of April, 2013.

BY THE COURT:

s/John L. Kane  
U.S. DISTRICT COURT JUDGE

UNITED STATES ATTORNEY

APPROVED:

John F. Walsh  
United States Attorney

s/ Joseph A. Whitcomb  
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